

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

Case No. 16-08627 ESL

JOSE R. SOTO VILLANUEVA
JOCELINE ORTIZ POLACO
Debtor (s)

Chapter 13

INFORMATIVE MOTION

TO THE HONORABLE COURT

COMES NOW Debtor, by and through the undersigned attorney very respectfully alleges and pays as follows:

1. On 2/1/2017 MIDLAND FUNDING LLC, (“MIDLAND”) filed POC # 6 as an unsecured claim in the amount of \$ 391.35 (the “POC”). The Debtor filed an objection to Midland’s claim on 7/14/2017. On 8/14/2017 Midland filed a response to the Debtor’s objection.

2. On 8/24/2017, pursuant to Fed. R. Bank. P. 3001 (c) (3) (B), the Debtor requested a copy of the writing which purports to support Midland’s claim. Review of the supporting documents in question is necessary to confirm the veracity and authenticity of the documents attached to Midland’s amended claim. Per the applicable rules, Midland has until no later than 10/9/2017 to furnish the Debtor with the requested evidence.

3. For the above reasons, the Debtor respectfully requests that this Honorable Court hold in abeyance adjudication of the Proof of Claim # 6 controversy for at least 45-days.

WHEREFORE, the Debtor respectfully requests that this Honorable Court be deem notified of the information contained herein and hold in abeyance adjudication of the Proof of Claim # 6 controversy until such time as Midland, in compliance with applicable Bankruptcy Rules, furnishes the requested information.

NOTICE

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the clerk’s office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the court, the interest of justice requires otherwise.

CERTIFICATE OF SERVICE: I hereby certify that on this same date the foregoing motion was filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants and the Chapter 13 Trustee. In addition, today a copy of this document was mailed to:

Mr. Anthony L. Bini Del Valle
90 carr 165 Suite 309
Guaynabo, PR 00968-8064

Midland Funding LLC
PO Box 2011
Warren, MI 48090-2011

RESPECFULLY SUBMITTED

In San Juan, Puerto Rico this 24th day of August 2017

/s/ **Jesus E. Batista Sanchez, Esq.**
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